

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:)	Chapter 11
)	
HEARTHSIDE BAKING CO., INC.,)	Case No. 08 B 01187
)	
Debtor.)	Hon. Jacqueline P. Cox

**ORDER APPROVING FIRST AND FINAL APPLICATION
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES OF
FRANK/GECKER LLP, COUNSEL TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF HEARTHSIDE BAKING CO., INC.,
FOR THE PERIOD FEBRUARY 21, 2008 TROUGH MARCH 10, 2009**

Total Fees Requested:	\$413,598.50	Total Expenses Requested:	\$ 8,964.81
Total Fees Reduced:	<u>0.00</u>	Total Expenses Reduced:	<u>15.00</u>
Total Fees Allowed:	\$413,598.50	Total Expenses Allowed:	\$ 8,949.81

TOTAL FEES AND EXPENSES ALLOWED: \$520,390.05

The Court has underlined the attached time and expense entries which have been disallowed in whole or in part. The basis for each disallowance is disclosed by the numerical notation which appears next to each highlighted entry. The numerical notations refer to the enumerated paragraphs below.

(11) Overhead Costs are Non-Compensable

The Court denies reimbursement for fees or expenses that are overhead costs. Expenses that are overhead are not compensable because they are built into the hourly rate. *See In re Wildman*, 72 B.R. 700, 731 (Bankr. N.D. Ill. 1987). Overhead, for bankruptcy purposes, includes "all continuous administrative or general costs or expenses incident to the operation of the firm which cannot be attributed to a particular client or cost." *In re Convent Guardian Corp.*, 103 B.R. 937, 939-40 (Bankr. N.D. Ill. 1989) (quoting *In re Thacker*, 48 B.R. 161, 164 (Bankr. N.D. 1985)). *Absent extraordinary circumstances, the Court will not reimburse an applicant for local parking and transportation at the estate's expense. See id.* at 940-44 (emphasis added).

IT IS SO ORDERED.

DATED: August 20, 2009

ENTER:

Jacqueline P. Cox

J. Cox

Jacqueline P. Cox
U.S. Bankruptcy Judge

Hearthside Baking Co., Inc.

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Invoice Dated: April 29, 2008

Regarding: Committee of Unsecured Creditors

For Professional Services Rendered Through March 31, 2008

Invoice #: 2635

Per Attached Description:

Disbursements:AmountExpenses

2/27/2008 Premiere Global Services Inv. #01300279 - 2/27/08 Committee Meeting	227.13
3/3/2008 Postage.	30.07
3/11/2008 Postage.	0.41
3/13/2008 Cab fare to Court hearing.	5.00
3/17/2008 Postage.	99.63
3/21/2008 Postage.	0.41
3/24/2008 Postage.	0.41
3/31/2008 Fax service of Notice of Hearing - Reliable Chicago Invoice No. CH007488, dated 03/31/08).	61.04
Total Charges This Matter	425.10

Hearthside Baking Co., Inc.

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Invoice Dated: May 22, 2008

Regarding: Committee of Unsecured Creditors

For Professional Services Rendered Through April 30, 2008

Invoice #: 2652

Per Attached Description:

Disbursements:

	<u>Amount</u>
<u>Expenses</u>	
4/4/2008 Messenger delivery to Robert Langdorf.	7.20
Messenger delivery to Novack & Macey.	7.20
Messenger delivery to Novack & Macey.	7.20
Messenger delivery to Staes & Scallan.	7.20
Messenger delivery to Robinson Curl & Claton.	8.40
Messenger delivery to Swanson Martin & Bell.	7.20
4/5/2008 Premiere Global Services Inv. No. 01363854 - conference call services rendered during March, 2008.	326.44
4/7/2008 Messenger delivery to Robinson Curl & Clayton.	5.60
Messenger delivery to Novack & Macey.	4.80
Cab Fare to courthouse to file motions.	5.00
Cab Fare from court to office.	5.00
4/9/2008 Committee conference call - Premiere Global Services Invoice No. 01448219.	72.28
4/10/2008 Copy of transcript of April 10, 2008 Chancery Court hearing before Judge Agran (McCorkle Court Reporters, Inc. Invoice No. 250784).	56.20
4/14/2008 Postage.	1.38
4/22/2008 Messenger delivery to Adelman, Gettleman, Marens, Berish.	9.60
Messenger delivery to Novak & Macey.	9.60
Messenger delivery to Staes & Scallan.	9.60
Messenger delivery to Robert A. Langendorf.	11.60
Messenger delivery to Robinson Curl & Claton.	11.20
Messenger delivery to Swanson Martin & Bell also to Novak & Macey.	19.20
4/23/2008 Committee conference call - Premiere Global Services Invoice No. 01448219.	96.76
4/28/2008 Filing fee for Notice of Removal of Civil Action (08 A 00237).	250.00
Total Charges This Matter	940.66